

Application No. : 09/871,402
Applicant : Creamer, et al.
Filed : May 31, 2001
TC/A.U. : 2145
Examiner : HOSSAIN, TANIM M

Confirmation No. : 9871

RECEIVED
CENTRAL FAX CENTER

JUL 18 2005

Docket No. : 6169-226
IBM Docket No. : BOC9-2000-0093

TRANSMITTAL LETTER

Via Facsimile Transmission
Fax No. 571-273-8300 (19 pages)

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

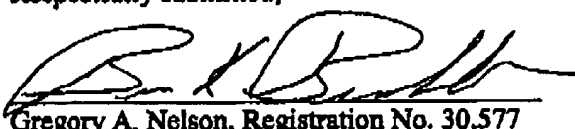
Please find enclosed for filing:

1. Request for Continued Examination Communication;
2. Request for Continued Examination; and
3. Fee Transmittal Form.

Please charge any deficiencies or credit any overpayment to Deposit Account No. 50-0951.

Respectfully submitted,

Date: 18 July 2005



Gregory A. Nelson, Registration No. 30,577

Brian K. Buchheit, Registration No. 50,667

AKERMAN SENTERFITT

Customer No. 40987

Post Office Box 3188

West Palm Beach, FL 33402-3188

Telephone: (561) 653-5000

RECEIVED
OIPE/IAP

JUL 19 2005

[WP247197;1]

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being transmitted via facsimile transmission to MAILSTOP RCE, at 571-273-8300, on

18 July 2005
Date



Reg. No. 52,667
Brian K. Buchheit, Esquire

Approved for USO through 07/31/2009. OMB 0361-0033
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
A collection of information on intellectual property and OMB control number.

Complete If Known

Application Number	09/871,402
Filing Date	MAY 31, 2001
First Named Inventor	CREAMER, et al.
Examiner Name	HOSSAIN, TANIM M.
Art Unit	2145
Attorney Contact No.	8166-228

RECEIVED
CENTRAL FAX CENTER

~~JUL 1~~ 8 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$) 780.00
-------------------------	-------------

METHOD OF PAYMENT (check all that apply)

<input type="checkbox"/> Check	<input type="checkbox"/> Credit card	<input type="checkbox"/> Money	<input type="checkbox"/> Other	<input type="checkbox"/> None
--------------------------------	--------------------------------------	--------------------------------	--------------------------------	-------------------------------

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

50-0951

Akerman Senterfitt

The Director is authorized to: (check all that apply)

☒ Change Sale(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge for(s) indicated below, except for the filing fee to the above-identified depository.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Foo Description	Foo Paid
Foo Foo	Foo Foo		
Code (Y)	Code (Y)		
1001 720	2001 385	Utility filing fee	
1002 350	2002 178	Design filing fee	
1003 650	2003 375	Plant filing fee	
1004 780	2004 395	Retainage filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1)

2 EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from Salary	Fee Paid
Total Claims				
Independent Claims	20%			
Multiple Dependent	30%			

<u>Large Entry</u>		<u>Small Entry</u>		<u>For Identification</u>
Pao	Pao	Pao	Pao	
Ceds	(3)	Ceds	(3)	
1202	18	2202	9	Claims in excess of 20
1201	68	2201	44	Independent claims in excess of 3
1203	300	2203	160	Multiple dependent claim, if not paid
1204	68	2204	44	** Reissue independent claims over original patent
1205	18	2205	6	** Reissue claim in excess of 20 and over original patent

SUBTOTAL (2)

^{cc} or number previously paid. If greater. For RETURN, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

LYNN EMMY, BIRMINGHAM

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	85	Surety bond - late filing fee or oath	
1052	60	2052	25	Surety bond - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,620	1812	2,620	Fee filing a request for oral parts reexamination	
1804	820*	1804	820*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	85	Extension for reply within first month	
1252	450	2252	215	Extension for reply within second month	
1253	680	2253	400	Extension for reply within third month	
1254	1,630	2254	795	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1403	340	2403	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to Institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	635	Utility bond fee (or release)	
1502	420	2502	245	Design bond fee	
1503	680	2503	330	Plant bond fee	
1460	130	1460	130	Petition to the Commissioner	
1807	50	1807	50	Proceeding fee under 37 CFR 1.17(g)	
1803	180	1803	180	Submission of Information Disclosure Sum	
8021	40	8021	40	Rescinding cash patent assignment per property (finco number of properties)	
1008	760	2008	385	Filing a submission after final rejection (37 CFR 1.126(b))	
1810	760	2810	385	Fee each additional invention to be examined (37 CFR 1.180(b))	
1801	790	2601	355	Request for Continued Examination (RCE)	780.00
1802	800	1802	800	Request for expedited examination of a claim application	

Other two (specify)

"Reduced by BuDe Film Fox Film

SUBTOTAL (9)	(\$)	780.00
--------------	------	--------

SECRET

NAME (PRINT) **BRIAN K. BUCHHEIT**

Registration No. (Mandatory/Optional)

52.867

Telephone 561-853.

Telephone 581-853-5000

Struktur

Date JULY 18, 2005

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2230.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time not only depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22314-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.**

81250 YA: Communications for Patents, P.O. Box 1403, Alexandria, VA 22314-1403.

If you need assistance in completing the form, call 1-800-PTO-0100 and consult section 2.

PTO/SB/30 (08-03)

Approved for use through 07/01/2006. OMB 0001-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	019/871,402
Filing Date	MAY 31, 2001
First Named Inventor	CREAMER, et al.
Art Unit	2145
Examiner Name	HOSSAIN, TANIM M.
Attorney Docket Number	6169-228

RECEIVED
CENTRAL FAX CENTER

JUL 18 2005

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/ Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)

b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0951

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	BRIAN K. BUCHHEIT	Registration No. (Attorney/Agent)	52,667
Signature	<i>Brian K. Buchheit</i>	Date	JULY 18, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	BRIAN K. BUCHHEIT	Date	JULY 18, 2005
Signature	<i>Brian K. Buchheit</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 123 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-0199 and select option 2.

07/19/2005 EAREGAY1 00000058 500951 09871402

01 FC:1801 790.00 DA

PAGE 3/19 * RCVD AT 7/18/2005 3:56:16 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/24 * DNIS:2738300 * CSID:5616596313 * DURATION (mm-ss):11-10